UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/079,349	02/20/2002	Sherrill J. Packebush	M-12213 US	7695

			EXAMINER
33438	7590	06/15/2005	PANNALA, SATHYANARAYA R

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ART UNIT	PAPER NUMBER
2167	

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

	Application No.	Applicant(s)
Office Action Summary	10/079,349	PACKEBUSH ET AL.
	Examiner	Art Unit	
	Sathyanarayan Pannala	2167	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _20 February 2002_.

2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1-6_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) _1-6_ is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
    Paper No(s)/Mail Date _2/20/2002_.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   The Application 10/079349 filed on 2/20/2002 has been examined and claims 1-6

are pending in this Office Action.

Information Disclosure Statement

2.   The information disclosure statement (IDS) submitted on 2/20/2002 was filed in

compliance with the provisions of 37 CFR 1.97. Accordingly, the information disclosure

statement (FORM 1449) has been considered by the Examiner and initialed all listed

items in the form.

Specification

3.   The abstract of the disclosure is objected to because the Abstract sheet contains

other information such as title, inventors name. Only the title should appear as

"ABSTRACT". Correction is required. See MPEP § 608.01(b).

Claim Rejections - 35 USC § 103

4.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set

forth in section 102 of this title, if the differences between the subject matter sought to be patented and

the prior art are such that the subject matter as a whole would have been obvious at the time the

invention was made to a person having ordinary skill in the art to which said subject matter pertains.

Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims

under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was

commonly owned at the time any inventions covered therein were made absent any evidence to the

contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and

invention dates of each claim that was not commonly owned at the time a later invention was made in

order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e),

(f) or (g) prior art under 35 U.S.C. 103(a).

5.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Lyness (US Patent 6,496,842) hereinafter Lyness and in view of Hugh (US Patent

6,166,739) hereinafter Hugh.

6.   As per independent claim 1, Lyness teaches identifying a hierarchy position in a

space defined by a hierarchy of nodes and the space has at least two dimensions

(col. 1, line 66 to col. 2, line 1). Lyness teaches as the hierarchy position may be used

to identify a focus of a user's view of the hierarchy. He also teaches displaying

representation of nodes of a hierarchy in a space on a display, each node representing

fully occupying a subspace within the space, and allocating the space entirely to the

subspaces (col. 2, lines 16-22). Lyness teaches the claimed step of "receiving a

selection input" as the step 120 monitors the user input device to detect a change in the

physical user-input device's 'state' position and button state (Fig. 5, col. 7, lines 10-12).

Further, Lyness teaches the claimed step of "identifying, based on the selection input, a

focus node, the focus node being one of the plurality of relational objects" as when the

displacement is non-zero in any dimension, the displacement is mapped by 144 to an

incremental change in hierarchy 'Focus'. Focus means wherein the hierarchy the user's

current view of the hierarchy is centered at one node or between nodes. A user may

see one of these surrounding nodes and manipulate the Focus toward that node so that

all nodes surrounding that node are now in view (Fig. 5, col. 7,lines 19-30 and col. 5,

lines 55-60). Further, Lyness teaches analogous to the displaying nodes as how the

display area 402 and 406 shows one possible allocation to three adjacent levels (Fig. 6,

col. 8, lines 49-51). Lyness does not explicitly teach displaying separately Focus node

on the computer monitor. However, Hugh teaches the claimed step of "displaying the

focus node on a display medium" as central thought (node) 'Central' in the center of the

plex 1800 (Fig. 18, col. 11, line 66 col. 12, line 2). Thus, it would have been obvious to

one of ordinary skill in the data processing art at the time of the invention, to have

combined the teachings of the cited references because Hugh's teachings would have

allowed Lyness's method to create an intuitive and accessible scheme for graphically

representing network of thoughts (nodes), providing user with access to diverse types of

information in a manner that maximizes access speed but minimizes navigational

confusion (col. 2, lines 32-37). Further, Hugh teaches the claimed step of "determining

whether a child node of the focus node exists, wherein the child node comprises one of

the plurality of relational objects other than the focus node, the child node having a

subordinate relationship with the focus node" as it determines the children nodes based

on the central, for example, Parent 1 is the central node, then the selected (focus) node

is Parent 1 and sibling will be shown because they are under the parent 1 node

(see 1810) and central node is shown, as it also a child of parent 1 (Fig. 18, col. 12,

lines 11-39). Further, Hugh teaches the claimed step of "if a child node exists,

displaying on the display medium, the child node" as an example, when the parent node

is the selected (focus) node see the display 1810 (Fig. 18, col. 12, lines 14-16 and lines

30-32). Further, Hugh teaches the claimed step of "determining whether a parent node

of the focus node exists, wherein the parent node comprises one of the plurality of

relational objects other than the focus node and the child node, the focus node having a

relationship subordinate to the parent node" as it determines the sibling 1 as the

selected (focus) node, the parent node is parent 1, see 1840 and when child 1 as the

selected (focus) node, the parent node is 'Central', see 1830 (Fig. 18, col. 12,

lines 40-46 and lines 55-65). Finally, Hugh teaches the claimed step of "if a parent

object exists, displaying on a display medium the parent node" as when sibling 1 is

selected (focus) node it is d Fig. 18, col. 12, lines 42-46 and lines 57-63).

7.   As per dependent claim 2, Lyness teaches the claimed step of "displaying the

focus node further comprises displaying the focus node in a textual format, wherein the

textual format is a format other than a format that illustrates the focus object and the first

related object as nodes connected by a graphical relationship symbol such as a line or

arrow" as to draw node-specific rendering means invoking primitive code to render text

and/or graphics (Fig. 12, col. 11, lines 24-25 and col. 13, lines 26-27).

8.   As per dependent claim 3, Hugh teaches the claimed step of "displaying as a top

grouping a subset of the plurality of relational objects" as it displays parent 1 and

parent 2 are top grouping relational objects (Fig. 1). Further, Hugh teaches the claimed

step of "wherein receiving a selection input further comprises receiving a selection input

that corresponds to a selected one of the relational objects in the top grouping" as the

user selects (focus) parent 1 node as in 1810, the sibling 1 and sibling 2 are directly

connected as children and 'Central' is also a child of parent 1 (Fig. 18, col. 12,

lines 11-16 and 30-32). Thus, it would have been obvious to one of ordinary skill in the

data processing art at the time of the invention, to have combined the teachings of the

cited references because Hugh's teachings would have allowed Lyness's method to

create an intuitive and accessible scheme for graphically representing network of

thoughts (nodes), providing user with access to diverse types of information in a manner

that maximizes access speed but minimizes navigational confusion (col. 2, lines 32-37).

9.   As per dependent claim 4, Lyness teaches the claimed step of "receiving a find

input" as the step 120 monitors the user input device to detect a change in the physical

user-input device's 'state' position and button state (Fig. 5, col. 7, lines 10-12). Further,

Lyness teaches analogous to the displaying nodes as how the display area 402 and 406

shows one possible allocation to three adjacent levels (Fig. 6, col. 8, lines 49-51).

However, Hugh teaches the claimed step of "performing a search of the plurality of

relational objects in order to determine whether one or more of the relational objects is

associated with the find input" as it determines the children nodes based on the central,

for example, Parent 1 is the central node as a selected (focus) node and sibling will be

shown because they are under the parent 1 node (see 1810) and 'Central' node is

shown, since it is also a child of parent 1 (Fig. 18, col. 12, lines 11-39). Thus, it would

have been obvious to one of ordinary skill in the data processing art at the time of the

invention, to have combined the teachings of the cited references because Hugh's

teachings would have allowed Lyness's method to create an intuitive and accessible

scheme for graphically representing network of thoughts (nodes), providing user with

access to diverse types of information in a manner that maximizes access speed but

minimizes navigational confusion (col. 2, lines 32-37). Further, Hugh teaches the

claimed step of "if one or more of the relational objects is associated with the find input,

displaying as a find grouping the one or more relational objects associated with the find

input" as if the parent node is the selected (focus) node see 1810 (Fig. 18, col. 12,

lines 14-16 and lines 30-32).

10.   As per dependent claim 5, Lyness teaches the claimed step of "the selection

input identifies one of the relational objects in the find grouping" as the emulated joystick

is monitored at step 142 for any displacement from its center position. When the

displacement is non-zero in any dimension, the displacement is mapped by step 144 to

an incremental change in hierarchy 'Focus' (Fig. 5, col. 7, lines 17-21).

11.   As per dependent claim 6, Hugh teaches the claimed step "one or more of the

plurality of relational objects represents a person" as for example, one thought (node)

might be the type 'Person' (col. 25, lines 44-45). Thus, it would have been obvious to

one of ordinary skill in the data processing art at the time of the invention, to have

combined the teachings of the cited references because Hugh's teachings would have

allowed Lyness's method to create an intuitive and accessible scheme for graphically

representing network of thoughts (nodes), providing user with access to diverse types of

information in a manner that maximizes access speed but minimizes navigational

confusion (col. 2, lines 32-37).

Conclusion

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Sathyanarayan Pannala whose telephone number is

(571) 272-4115. The examiner can normally be reached on 8:00 am - 5:00 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on (571) 272-4107. The fax phone number for

the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov.

Should you have questions on access to the Private PAIR system, contact the

Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Sathyanarayan Pannala
Examiner
Art Unit 2167

srp
May 25, 2005